

REMARKS

Entry of this Amendment is respectfully requested. New dependent claim 32 has been added, which incorporates the limitations of claim 17. It is believed that new claim 32 should be in Group I. No new matter has been added.

Reconsideration of the Restriction Requirement is respectfully requested.

The Examiner has maintained that two patentably distinct groups of inventions exist in this application, as follows:

Group I: Claims 1-15 and 21-31, drawn to a process.

Group II: Claims 16-20, drawn to a plant.

Applicants provisionally elect, with traverse, the invention of Group I, that is claims 1-15 and 21-31, and new claim 32.

It is respectfully submitted that a search and examination of the elected claims 1-15 and 21-32 of Group I should overlap a search for claims 16-20 of Group II. Therefore, a simultaneous search of the claims of Groups I and II would appear to be needed for a complete search of the elected claims of Group I.

Since a search of the non-elected claims 16-20 of Group II appears necessary for a complete search and examination of the elected claims 1-15 and 21-32 of Group I, the search and examination of all claims 1-32 in this application should be able to be conducted without serious burden. Accordingly, it is believed that the guidelines of MPEP §803 are applicable. MPEP §803 states:

If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions.

In view of the foregoing remarks, reconsideration of the restriction requirement is respectfully requested, and that claims 1-32 be examined in this application.

Respectfully submitted,

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